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C O N F I D E N T I A L SECTION 01 OF 02 LAGOS 000004

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E.O. 12958: DECL: 12/31/2018  
TAGS: [PGOV](#) [PREL](#) [PTER](#) [NI](#)  
SUBJECT: NIGERIA: CITIZENS ADVOCACY GROUP FOR  
CONSTITUTIONAL REFORM LAUNCHES NEW INITIATIVE

Classified By: Acting Consul General Helen C. Hudson, Reasons 1.4 (B,D)

11. (C) Summary: On December 18 Pol-Econ Chief and PolOffs met in Lagos with Olawale Okunniyi spokesman of PRONACO (Pro National Conference), a coalition of Nigerian organizations seeking to ensure that Constitutional Reform takes into account the wishes of the Nigerian people. Okunniyi pointed out that the current constitution was decreed by the military government in 1999 whereas the PRONACO generated draft constitution of 2006 was a document drawn up by representatives of over 200 ethnic groups from all over the country in a transparent process. Since this draft constitution has been ignored by the government of Nigeria, PRONACO is launching a new initiative to rally popular support, while pursuing legal measures, lobbying the legislature and engaging government in a dialogue in order to influence the constitutional reform process. End Summary.

200 Organizations draft a Constitution for Nigeria  
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12. (U) Olawale Okunniyi, spokesman of PRONACO, met in Lagos with Pol-Econ Chief and PolOffs to discuss the current plans of PRONACO. PRONACO is a coalition of organizations including Citizens Forum for Constitutional Reform, Nigeria Labor Congress, Nigeria Union of Journalists, Gender and Constitutional Reform Network, and the People's Constitution Advocacy Group among others. It was founded in 2004 for the purpose of drafting a new constitution for Nigeria in a transparent process based on direct participation by representatives of Nigeria's ethnically and religiously diverse population. A People's National Conference was held from January 2005 until August 2006 and was attended by representatives of 200 ethnic, gender and religious organizations as well as fourteen political parties including the All Nigeria People's Party (ANPP), the Democratic People's Party (DPA), and the Progressive People's Alliance (PPA), but not the Peoples' Democratic Party (PDP). Among the prominent people who attended the Conference were Patrick Utomi, later the presidential candidate for the African Democratic Congress and Director of the Lagos Business School, and Adams Oshiomhole of the Nigeria Labor Congress, who has recently been declared the winner of the 2007 gubernatorial election in Edo state on the Action Congress ticket.

Draft Constitution Limits Federal Powers

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13. (U) The constitution drafted at the congress, according to Okunniyi, is both transparent and representative, and hence a more legitimate expression of the sovereign will of the people of Nigeria than the all the previous Constitutions which were imposed from above either by the colonial administration or military dictatorships. The People's Sovereign National Conference was designed, according to the literature describing it, to be inclusive, transparent, autonomous and legitimate. PolOffs were provided with a copy of the draft constitution. Key features of the constitution include replacing the 37 states of the Nigerian Federation with 18 ethnically based regions, devolving power to these regions to the extent possible and leaving only limited powers with the Federal Government. In addition, the constitution calls for the creation of decentralized police forces, the introduction of a parliamentary rather than presidential system, and the payment of 50 percent of revenues to the region of derivation, as well as a 30 percent quota for women in public office.

PRONACO Launches Lobbying, Court Strategies  
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14. (C) In the meeting with PolOffs, Okunniyi argued that, even if the entire constitution as drafted by the National Conference cannot be adopted in the current environment, it might be possible to get some of its key features incorporated into the constitutional reform process sponsored by the current government. To this end, PRONACO established

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the Citizen's Advocacy Group to seek means of interfacing with government. To date the Advocacy Group has written to the government committee on constitutional reform and to the President of the Federation, At the same time, PRONACO is challenging the current constitution in the courts, arguing that the current constitution of 1999 is not legitimate because it was a decree promulgated by a military dictatorship rather than an expression of popular will. PRONACO claims to have strong support among Nigerians living abroad, particularly in the UK and the United States.

15. (U) In a press release issued on Wednesday, December 31, PRONACO announced its intention to "shake the country once again and save it from rapacious and inept political class, who are bent on holding the people hostage." The press release outlines a program of action including "engaging government to make them accountable at all levels," and lobbying the National Assembly to adopt consultative procedures enabling civil society to participate in the constitutional reform process,

16. (C) Comment: While it is hard to argue with the basic thesis of PRONACO that the current constitution lacks legitimacy, it is equally hard to see how the organization can effectively impact constitutional reform in the current environment. The issue of constitutional reform has been dormant since 2006, when the movement was sidetracked by the issue of a third presidential term; the constitutional review committee in the National Assembly is only now starting to address the issue again after the 2006 debacle. In this context, some key elements of the proposed constitution such as the higher levels of revenue to the oil-producing regions are topical, and conceivably the 2006 draft constitution will become more relevant again if the constitutional reform process begins in earnest. Key to the success of PRONACO will be the degree of resonance its appeal of December 31 finds; if civil society were to become actively involved in the constitutional review and reform process, the impact could be significant. End Comment.

17. (U) This cable was cleared with Embassy Abuja.  
HUDSON